

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

B & R SUPERMARKET, INC., *et al.*,

Plaintiffs,

v.

VISA, INC. *et al.*,

Defendants.

Civ. Act. No. 1:17-cv-02738 (MKB)(JO)

**DECLARATION IN SUPPORT OF  
MOTION TO WITHDRAW AS  
COUNSEL OF RECORD**

I, Michael B. Miller, pursuant to 28 U.S.C. §1746, hereby declare as follows:

1. I am a partner with the law firm Morrison & Foerster LLP. Pursuant to Local Civil Rule 1.4, I submit this declaration in support of the motion for the withdrawal of Penelope A. Preovolos as counsel of record for defendant Bank of America, N.A. (“Defendant”) from the above referenced action.

2. I, along with Mark P. Ladner, Natalie A. Fleming Nolen, and Jane P. Bentrott, also of Morrison & Foerster LLP, will continue to represent Defendant.

3. I hereby certify that Ms. Preovolos’s withdrawal will not cause or result in any delay or prejudice.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
May 22, 2017

MORRISON & FOERSTER LLP

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